APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,462	08/29/2001	Jean-Marie Stawikowski	213287US6X	5047

			EXAMINER
22850	7590	10/14/2005	ZHONG, CHAD

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

ART UNIT	PAPER NUMBER
2152	

DATE MAILED: 10/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/940,462	STAWIKOWSKI ET AL.
Office Action Summary	Examiner	Art Unit	
	Chad Zhong	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _09 September 2005_.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 1-04)   Office Action Summary   Part of Paper No./Mail Date 20000831

FINAL ACTION

1.   Claims 1-20 are presented for examination, this action has been made final.

2.   Claims 1-20 are presented for examination. In amendment B, filed on 09/09/2005:

Claims 1-20 are amended.

3.   The terminal disclaimer filed on 09-09-2005 disclaiming the terminal portion of any patent

granted on this application which would extend beyond the expiration date of 09/940,573 has been

reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office

action.

5.   Claims 1-11, 13-20 are rejected under 35 U.S.C. 102(e) as being anticipated over Linderman

US 2002/0032790.

6.   As per claim 1, Linderman teaches a communication system on an IP network ([0013]) between

an automation equipment ([0013], wherein the automation equipment is for example, the server)

comprising:

at least one processing unit capable of running a program ([0013], [0026], wherein the server

has programs controllable by the remote devices) to provide automation functions; and

one or more remote devices (Fig 1, item 12; [0015]) running a computer program or group of

computer programs (browser item 16, Fig 1),

wherein the communications system is based on the Simple Object Access Protocol (SOAP) for the

purpose of providing the remote device with supervision, display, control, configuration or programming

functions of the automation equipment ([0013], [0018]), and in that the communications system

comprises, in the automation equipment, at least one WEB service ([0049]; T-BOX, Fig 1) or one WEB

client which are capable of interacting with the program of the automation equipment of decoding

messages received from the IP network encoded according to the SOAP protocol and of encoding

according to the SOAP protocol messages to be sent on the IP network ([0045-0046]).

7.   As per claim 2, Linderman teaches the automation equipment includes at least one WEB service

able to receive from the IP network requests ([0026]), coming from at least one WEB client application

contained in a remote device and of sending on the IP network responses to the WEB client application of

the remote device ([0045]).

8.   As per claim 3, Linderman teaches the automation equipment includes at least one WEB client

able to send on the IP network requests to at least one WEB server application contained in a remote

device ([0026]; [0035]) and of receiving from the IP network responses, coming from the WEB server

application of the remote device ([0045]).

9.   As per claim 4, Linderman teaches a service description document describes the capacities of one

or more WEB services implanted in an automation equipment ([0028-0030]), this service description

document being accessible for a remote device either from its local resources, or from remote resources

identified by a URL, URI or IP address ([0028-0030], [0040], [0049], wherein the user transmits service

requests remotely to a server in order to carry out the request).

10.   As per claim 5, Linderman teaches the service description document complies with a service description language referring to the SOAP protocol or to the HTTP, HTTPS protocol and providing a grammar based on the extensible Markup Language (XML) ([0018-0019], [0026]).

11.   As per claim 6, Linderman teaches the service description document may contain one or more URL, URI or IP addresses of one or more WEB services ([0028-0030], wherein the name of the SNMP program is acting as an address, this will help identify the type of services required on the hierarchy).

12.   As per claim 7, Linderman teaches the service description document complies with the Service Description Language (SDL) (wherein XML is a form of SDL language).

13.   As per claims 8-10, the claims are rejected for the same reasons as rejection to claim 7 above.

14.   As per claim 11, Linderman teaches several service description documents complying with different service description languages can describe the capacities of a same WEB service ([0042], [0043], wherein the different service description such as HTTP-SOAP protocol can describe the type of web services).

15.   As per claim 13, Linderman teaches the service description document of an automation equipment is stored in storage means located in the automation equipment ([0034]; [0045]).

16.   As per claim 14, Linderman teaches the service description document of an automation equipment is stored in storage means located in a remote device ([0034]; [0045]).

17.   As per claim 15, Linderman teaches a generator is capable, following a request emanating from a remote device, of constructing a service description document dynamically, describing the capacities of one or more WEB services implanted in an automation equipment ([0036], wherein the incoming requests

are handled dynamically since NMA will build a model required to satisfy the incoming requests, further, the results are logged, wherein log will describe the status and capacities of the web services carried out).

18.   As per claim 16, Linderman teaches the generator of a service description document of an automation equipment is accessible, for a remote device, via a URL, URI or IP address (again, the generator is accessible via the SOAP message, the contents of the SOAP message as well as the address identification was described previously above).

19.   As per claim 17, Linderman teaches the generator of a service description document of an automation equipment is stored in storage means located in the automation equipment or in storage means located in a remote device ([0036], wherein the generator and the messages that it generated are all part of the remote device).

20.   As per claim 18, the claim is rejected for the same reasons as rejection to combination of claims 1 and 15 above.

21.   As per claim 19, the claim is rejected for the same reasons as rejection to combination of claims 1 and 15 above.

22.   As per claim 20, the claim is rejected for the same reasons as rejection to combination of claims 1, 4 and 15 above.

Claim Rejections - 35 USC § 103

23.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having

ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

24.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Linderman

US 2002/0032790, in view of 'Frequently Asked Questions about XML', Microsoft', June 2000.

25.   As per claim 12, Schwarzhoff does not explicitly teach compression of XML documents,

specifically, even though this is implied as a form of encoding.

However, Microsoft' teaches a service description document is compressed in a standard compression

format for files and documents (see for example, pg 7, "Will it be necessary to compress XML for

transmission over the web?"). It would have been obvious to one of ordinary skill in this art at the time of

invention was made to combine the teaching of Linderman and Microsoft' because the teaching of

Microsoft' to allow a service description document compressed in a standard compression format for files

and documents would improve the efficiency of document transport for Linderman's system by using

compression standards within XML.

Response to Arguments

26.   Applicant's remarks filed 09/09/2005 have been considered but are found not persuasive.

In the remark, Applicant argued in substance that Linderman's provisional application 60-208045

(hereinafter '045) does not show any diagram of "T-box 32", and the provisional application points to

generic discussion about a general product called "DaberNet".

In response to Applicant's arguments, although the provisional application does not show "T-box

32". However, in accordance with MPEP 601 [R-2] Content of Provisional and Nonprovisional

Applications under subsection 37 CFR 1.51. General requisites of an application.**>

...

(3) *Drawings, when necessary*, see § § 1.81 to 1.85; and *(emphasis added)*, which establishes that at

the time of filing of the provisional application the drawings are not a pre-requisite. That is, for as long as

the concept of the "T-box 32" is taught in the provisional, the provisional date can be relied upon. In the

PG-PUB Linderman 2002-0032790, "T-box 32" as described by the specification is a "translation device

for processing or translation, the T-box translates the SOAP command into the native language of the

intended device such as network element or SNMP", see [0033]. In pg 003, 2nd paragraph of the

provisional application '045, Linderman discloses the concept of T-box, specifically, "translate these

messages into necessary commands to be executed behind the firewall. The first scenario would be a

translation of the XML vocabulary into the necessary SNMP commands to be issued to the switches

behind the firewall". Therefore, the provisional application '045 teaches the concept of T-box and its

equivalent functionalities.

27.   **THIS ACTION IS MADE FINAL**. Applicant is reined of the extension of time policy as set

forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR

1.136(a) will be calculated from the mailing date of the advisory action. In no event, however

will the statutory period for reply expire later than SIX MONTHS from the mailing date of this

final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The

following patents and publications are cited to further show the state of the art with respect to

"COMMUNICATION SYSTEM OF AN AUTOMATION EQUIPMENT BASED ON THE SOAP
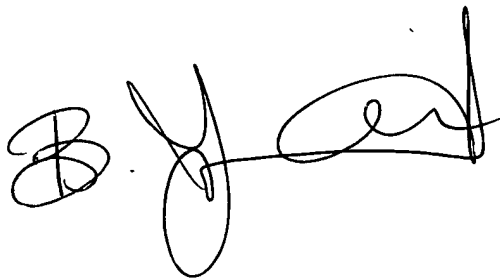
PROTOCOL".

      i.   US 6732191   Baker et al.

      iii.   US 6732175   Abjanic.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (571)272-3946. The examiner can normally be reached on M-F 7:15 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAROENCHONWANIT, BUNJOB can be reached on (571)272-3913. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CZ
September 26, 2005